

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

MACKINAC CENTER FOR PUBLIC
POLICY,

Plaintiff,

v.

U.S. DEPARTMENT OF EDUCATION, *et al.*,

Defendants.

Case No. 1:23-cv-10795-TLL-PTM

**JOINT MOTION FOR BRIEFING SCHEDULE
AND FOR LEAVE TO FILE EXCESS PAGES**

On April 6, 2023, Plaintiff filed a complaint challenging the pause of monthly payment obligations and interest accrual on federally held student loans by the U.S. Department of Education.

See ECF No. 1. On May 11, Plaintiff filed a motion for preliminary injunction. *See* ECF No. 9.

The parties have conferred regarding Plaintiff's motion and Defendants' anticipated response. Following those discussions, the parties have agreed to the following combined briefing schedule for Plaintiff's preliminary-injunction motion and Defendants' forthcoming motion to dismiss, along with associated page limits for the parties' respective filings:

Filing	Page Limit	Date
Defendants' Combined Response in Opposition to Preliminary Injunction & Motion to Dismiss	40 pages	June 13, 2023
Plaintiff's Combined Reply in Support of Preliminary Injunction & Opposition to Dismissal	30 pages	July 11, 2023
Defendants' Reply in Support of Dismissal	10 pages	July 25, 2023

Good cause exists for this briefing schedule and the associated page extensions. Plaintiff's complaint and motion for preliminary injunction challenge an important government policy and raise complex questions of constitutional and administrative law, as well as the law of remedies. And Defendants' forthcoming motion to dismiss will introduce new issues, including threshold defenses that implicate this Court's jurisdiction. So that the parties will have sufficient time to prepare briefs that are as helpful as possible to the Court, and so that the Court may benefit from a fulsome presentation of the parties' positions on these important legal questions, the parties respectfully request that the Court adopt the specific deadlines and page limits that the parties have negotiated and agreed upon, as detailed above.

Dated: May 19, 2023

/s/ Sheng Li

SHENG LI
Litigation Counsel
RUSSELL G. RYAN
Senior Litigation Counsel
Attorneys for Plaintiff Cato Institute
NEW CIVIL LIBERTIES ALLIANCE
1225 19th Street NW, Suite 450
Washington, DC 20036
(202) 869-5210
Sheng.Li@ncla.legal

Patrick J. Wright
Vice President for Legal Affairs
MACKINAC CENTER FOR PUBLIC
POLICY
130 W. Main Street
Midland, MI 48640
(989) 430-3912

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant
Attorney General

MARCIA BERMAN
Assistant Branch Director

/s/ Cody T. Knapp
CODY T. KNAPP (NY #5715438)
Trial Attorney
U.S. Department of Justice
Civil Division
Federal Programs Branch
1100 L St. NW
Washington, D.C. 20005
Telephone: (202) 532-5663
Facsimile: (202) 616-8470
E-mail: cody.t.knapp@usdoj.gov

Counsel for Defendants